

## **R E M A R K S**

The office action of June 6, 2005 has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1 and 4 remain in this case, claims 2, 3, 5, and 6 being cancelled by this response.

Claim 1 was amended to clarify the subject matter being claimed. No new matter has been entered. Claim 4 was amended to fix an informality.

The Applicants note the Notice from the Official Draftsman referring to certain informalities in the Drawings. Replacement drawings correcting the informalities are enclosed with this response.

The numbered paragraphs below correspond to the numbered paragraphs in the Office Action.

### **Objections to the Specification**

1. The disclosure was objected to because of the following informalities: on page 7, lines 17, 21, and 22 "lags 74" should be --legs 74--.

Applicant has amended the specification to fix the informalities. Reconsideration and withdrawal of the objection is respectfully requested.

### **Rejection(s) under 35 U.S.C. §102**

3. Claims 1 through 6 were rejected under 35 U.S.C. 102(b) as being anticipated by McDonald et al. (US 5,647,812). Applicant respectfully disagrees with the rejection.

McDonald discloses a chain tensioner having a shoe, a coil spring, and a bushing disposed through the coils of the coil spring. "The tensioner has an elongated shoe with a first end section and a second end section." (Col. 6, lines 27-29).

The first end section and the second end section are from the same shoe and are described by the Examiner as being a plurality of sections that are joined by an unnumbered middle portion. Applicant points out to the Examiner that a first end section and a section end section of

the same shoe that are joined by a middle is not the same as, nor disclose "a plurality of identical, independently moveable sections (62, 64, 66) with each section joined to adjacent sections via link portions (68) and a pin" as stated in Applicant's amended claim 1 (Emphasis Added).

Therefore, it is respectfully suggested that the rejection of independent claim 1 as being anticipated by McDonald (US 5,647,812) is overcome. Dependent claim 4, being dependent upon and further limiting independent claim 1, should also be allowable for that reason, as well as for the additional recitations it contains. Reconsideration and withdrawal of the rejection are respectfully requested.

### **Provisional Double Patenting Rejection**

5. Claims 1-6 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of copending Application No. 10/693,561.

Applicant notes the rejection and will respond to the provisional double patenting rejection at a later time.

### **Conclusion**

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

Respectfully Submitted:  
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Dated: July 27, 2005